In the High Court of Judicature at Madras

Dated: 21.12.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.11984 of 2002
and WPMP.No.16153 of 2002

Parvathi Menon rep. by her
registered Power Agent
Mr. Harshad V Doshi ..Petitioner

..vs..

1. State of Tamil Nadu,
   rep.by the Secretary to Government
   Housing & Urban Development Department,
   Secretariat,
   Fort St.George,
   Chennai-600 009.

2. The Member Secretary,
   Chennai Metropolitan
   Development Authority,
   No.1, Gandhi Irwin Road,
   Egmore, Chennai-600 008. ..Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Declaration declaring that the provisions of Rule 19 (b) (III)-(B) of the Development Control Rules as ultravires,illegal, unconstitutional and unenforceable in so far as it relates to levy and collection of security deposit for the proposed development and consequently direct the respondents to issue planning permission for Residential Flats at Door No.1, East Mada Street, Sri Nagar Colony,Saidapet, Chennai, without insisting on security deposit as contained in Lr.No.B1/36075/2001 dated 21.03.2002 of the second respondent.

For Petitioner : Mr.K. Venkatasubramanian

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For Respondents : Mr.A.Edwin Prabhakar,
Govt.Advocate for R1

Mr.J.Ravindran for R2

ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

Learned counsel for the petitioner seeks permission to withdraw the above writ petition. He also made an endorsement to that effect in the writ petition. Accordingly, permission is granted and the writ petition is dismissed as withdrawn. However, it is made clear that the petitioner is free to challenge the provisions contained in Rule 19(b)(III)-(B) of the Development Control Rules, if need arises, at the appropriate time. No costs. Consequently, connected WPMP., is closed.

Sd/
Asst.Registrar

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Sub Asst.Registrar

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To
1. The Secretary to Government,
Housing & Urban Development Department,
Chennai-600 009.

2. The Member Secretary,
Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Chennai-600 008.

+1cc to Mr.J.Ravindran, Advocate SR 64882

JRG (CO)
km/3.1.

Writ Petition No.11984/02

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